

Case No. 4:20-CV-388-NAB

7. West Florissant BP employs five employees and pays those employees a monthly salary, and those employees will have to be laid off during a period of heavy unemployment.

8. Just prior to January 15, 2021, West Florissant BP refilled its gas tanks, and must sell such gas in order to pay the gas company's invoice, and if the gas cannot be sold in a timely manner, it will spoil and the State of Missouri will require the tanks to be pumped out and cleaned.

9. Just prior to January 15, 2021, West Florissant BP restocked its inventory, at a cost of several thousand dollars, and many of the items are perishable and will spoil.

10. West Florissant BP is required to continue to pay for its supply contracts, utilities, insurance bill, and security costs.

11. West Florissant BP will not be able to meet the financial obligations described above if required to comport with the City of St. Louis' order to cease operations, and will have to close the Store permanently, which likely will lead to bankruptcy for the partnership.

12. Exhibit 1 to Plaintiff's Motion for Temporary Restraining Order and Memorandum in Support is a true and accurate copy of the Certificate of Occupancy and Zoning issued to West Florissant Amoco in February 1999.

13. Exhibit 3 to Plaintiff's Motion for Temporary Restraining Order and Memorandum in Support is a true and accurate copy of the City's April 10, 2019 letter.

14. Exhibit 4 to Plaintiff's Motion for Temporary Restraining Order and Memorandum in Support is a true and accurate copy of the City's April 18, 2019 letter.

15. Exhibit 5 to Plaintiff's Motion for Temporary Restraining Order and Memorandum in Support is a true and accurate copy of the February 5<sup>th</sup>, 2020 Notice of Condemnation for Occupancy.

FURTHER, AFFIANT SAITH NAUGHT.

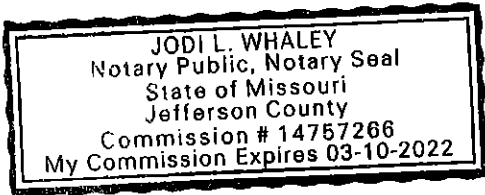
BY: Saleh Alkhudaji  
Saleh Alkhudaji

Sworn and subscribed to before me on this 19 day of 01, in the year 2021.

Jodi L. Whaley  
Notary Public

My Commission Expires:

03-10-2022



Respectfully submitted,

CURTIS, HEINZ, GARRETT &  
O'KEEFE, P.C.

/s/ Helmut Starr  
Helmut Starr #32899MO  
Andrew Bramman #69980MO  
Attorneys for Plaintiff  
130 South Bemiston Avenue, Suite 200  
St. Louis, Missouri 63105  
(314) 725-8788  
(314) 725-8789 Facsimile  
hstarr@chgolaw.com  
abramman@chgolaw.com

Certificate of Service

I hereby certify that on January 20<sup>th</sup>, 2021, the foregoing was electronically filed with the Clerk of the Court to be served by operation of the Court's electronic filing system.

/s/ Helmut Starr